

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11577 of 2008
HAWALDAR MISHRA & ANR
Versus
STATE OF BIHAR

3. 9.9.2008 Heard the learned counsel for the
petitioners and the State.

The petitioners are apprehending
their arrest in connection with Bhagwanpur P.S.
Case No.01/98 for the alleged offences
registered under sections 149 and 302 of the
Indian Penal Code.

It is submitted on behalf of the
petitioners that the petitioners are the named
accused among large number of accused persons
mentioned in the F.I.R. It is submitted that
the allegations are general in nature and there
is no specific allegation against these two
petitioners. It is further submitted that
several other co-accused persons have been
allowed anticipatory bail as per the order
dated 16.2.1999 passed in Cr.Misc. No.25241 of
1998, as contained in Annexure 6 to this
application.

The learned APP appearing for the
State submits that the allegations are against
all the accused persons. However, he is not in

a position to refute the submission with regard to grant of anticipatory bail to other accused persons, as contained in Annexure 6.

Considering the above, it is directed that petitioner no.1 Hawaldar Mishra and petitioner no.2 Deonath Mishra, in the event of their arrest or surrender in connection with Bhagwanpur P.S. Case No.01/98, within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM

(Shailesh Kumar Sinha, J.)